

Message Text

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ACTION IO-14

INFO OCT-01 ISO-00 ACDA-19 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SPC-03

SS-20 USIA-15 AF-10 ARA-16 EA-11 EUR-25 NEA-10 DRC-01

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P 280020Z MAR 74

FM USMISSION USUN NY

TO SECSTATE WASHDC PRIORITY 3251

C O N F I D E N T I A L USUN 1025

E.O. 11652: GDS

TAGS: UN, PFOR

SUBJ: DEFINITION OF AGGRESSION

REF: USUN'S 1009

1. CONTACT GROUP CONTINUED DISCUSSIONS OF SELF-
DETERMINATION SAVINGS CLAUSE BASED ON TEXT REPORTED PARA 4
USUN'S 1009.

2. LAMPTEY (GHANA) INDICATED HIS ABILITY ACCEPT TEXT IF
ALL THE BRACKETED LANGUAGE INCLUDED. HASSOUMA (EGYPT)
AND KOLESNIK (USSR) SOUGHT DELETE "STRUGGLE BY ALL
LEGITIMATE MEANS" AND REPLACE IT BY "USE FORCE."

3. WE INDICATED THAT SUGGESTED CHANGES CLEARLY UNACCEP-
TABLE AND COULD ONLY ELIMINATE CHANCES OF AGREEMENT. WE
PROPOSED CHANGES DISCUSSED ROSENSTOCK USUN/SCHWEBEL (L)
TELECON. RESULT WAS STORM OF PROTEST FROM ALL SIDES.
FRANCE, ITALY, USSR, GHANA, ALL STRENOUSLY OPPOSED
"OPPRESSED BY COLONIALISM AND RACIST REGIMES OR SUBJECT
TO OTHER FORMS OF DOMINATION." OBJECTIONS RANGED FROM
FEARS THIS WOULD BE GLOBALLY DESTABILIZING TO STRENOUS
ASSERTIONS OF CHARTER ART 2(7) BY THE FRENCH. WITH STRONG
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SUPPORT FROM STEEL (UK) WE FINALLY DIMINISHED RESTRICTIVE

EFFECT OF THE DISCREPTEIVE LIST AND RETAINED "LEGITIMATE MEANS" IN FOLLOWING TEXT:

"NONE OF THE PRECEDING PARAGRAPHS, AND IN PARTICULAR ARTICLE 3, MAY BE INTERPRETED AS LIMITING THE SCOPE OF THE CHARTER'S PROVISIONS CONCERNING THE RIGHT OF PEOPLES FORCIBLY DEPRIVED OF THEIR INHERENT RIGHTS AND REFERRED TO IN THE DECLARATION ON PRINCIPLES OF INTERNATIONAL LAW CONCERNING FRIENDLY RELATIONS AND CO-OPERATION AMONG STATES IN ACCORDANCE WITH THE CHARTER OF THE UNITED NATIONS, PARTICULARLY THOSE UNDER COLONIAL AND RACIST REGIMES OR OTHER FORMS OF ALIEN DOMINATION, TO STRUGGLE BY ALL LEGITIMATE MEANS AT THEIR DISPOSAL FOR THEIR SELF-DETERMINATION, FREEDOM AND INDEPENDENCE AND TO SEEK AND RECEIVE SUPPORT, IN ACCORDANCE WITH THE PRINCIPLES OF THE CHARTER AND IN CONFORMITY WITH THE ABOVE-MENTIONED DECLARATION."

4. INSERTION OF "AND IN PARTICULAR ARTICLE 3" IS WE RECOGNIZE SOMEWHAT SILLY BUT IT WAS IN EXCHANGE FOR EGYPT DROPPING ADVOCACY OF NOTION THERE HAD TO BE AN EXPRESS LINK BETWEEN ARTICLE 3(G) AND IS IN ANY EVENT HARMLESS.

5. GROUP THEN TURNED TO DISCUSSION ARTICLE 3(G). HASSOUMA (EGYPT) INDICATED THAT HE HAD GREAT DIFFICULTY WITH NOTION OF "ACTIVE INVOLVEMENT". WE STATED "INVOLVEMENT" ALONG MIGHT BE ACCEPTABLE IN CONTEXT GENERALLY ACCEPTABLE DEFINITION. ONLY STEEL SUPPORTED DELETION OF "ACTIVE". SOVIETS AND FRENCH WERE NOTABLY UNHELPFUL ON THIS POINT. GROUP THEN DISCUSSED NUMEROUS ALTERNATIVES WHICH FAILED TO COMMAND BROAD SUPPORT. BESSOU (FRANCE) THEN PRODUCED FRENCH TEXT WHICH TRANSLATES AS "OR ITS INVOLVING ITSELF THEREIN." FOR SOME REASON THIS TEXT ATTRACTED LESS OPPROBRIUM THAN "INVOLVEMENT" AND AT URGING LAMPTEY ALL MEMBERS OF GROUP INCLUDING EGYPT AGREED THINK FURTHER ON IT. IF THIS VARIATION PROVES GENERALLY ACCEPTABLE WE WILL THEN SEE IF WE CAN GET "OF SUCH GRAVITY" DELETED FROM 3(G).

6. DISCUSSION ON ARTICLE 2 FOLLOWED WELL WORN PATH OF ARGUMENTATION REGARDING "IN CONTRAVENTION OF THE CHARTER." AFTER LENGTHY DISCUSSION STARCEVIC (YUGOSLAVIA)
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WAS SOLE PARTICIPANT UNWILLING TO ACCEPT UK PROPOSAL CONTAINED PARA 1 USUN'S 1009 THOUGH HE AGREED THINK FURTHER ON IT.
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